GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – M.A. & U.D. Department – Purchase of Stationery and Printing of Tender Scheduled by erstwhile Gajuwaka Municipality and misappropriation of Government funds by Sri G.S.N.Murthy, the then Municipal Commissioner, Gajuwaka Municipality and seven others – Departmental Proceedings under Rule 20 of A.P.C.S. (CC&A) Rules, 1991 – Withdrawn from the enquiry – Further action dropped – Orders issued – Criminal Case filed in C.C.No.834 of 2011 in Crime No.35/2008 before the III Additional Chief Metropolitan Magistrate, Gajuwaka – Judgement pronounced in C.C.No.834/2011, dated 20.03.2017 – Closing of Criminal Case - Further action dropped – Orders – Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (VIG.I) DEPARTMENT

G.O.RT.No. 841 **Dated: 30-11-2017**

Read the following:-

1. From the Director General (V&E), General Administration (V&E) Dept., Vigilance Report No.90 (914/V&E/D1/06), dated 30.06.2007.
2. Govt. Memo. No.17153/E1/2007, dated 05.09.2007 of M.A. & U.D. (E1) Department.
3. From the Commissioner, Greater Visakhapatnam Municipal Corporation, Visakhapatnam, letter Rc.No.312/2008/C1/GWK Zone-V, dated 28.01.2008 addressed to the Station House Officer, GWK Police Station, Visakhapatnam.
4. G.O.Rt.No.582, M.A. & U.D.(E1) Department, dated 24.05.2010.
5. From the Commissioner, Greater Visakhapatnam Municipal Corporation, Visakhapatnam, letter Rc.No.3190/2008/ C2/C1/ GWK, dated 30.07.2010 addressed to the Station House Officer, GWK (L&O) Police Station, Visakhapatnam.
6. From the Hon'ble Court of III Additional Chief Metropolitan Magistrate, Gajuwaka, Judgement dated 20.03.2017 in C.C.No.834 of 2011.
7. From the Commissioner, Greater Visakhapatnam Municipal Corporation, Visakhapatnam, letter Rc.No.3190/2008/ C2/C3/ GVMC, dated 23.05.2017.
8. From Sri G.S.N.Murthy, former Municipal Commissioner, Gajuwaka Municipality, now retired as Municipal Commissioner, Kakinada, representation dated 08.08.2017.

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O R D E R:

Whereas, in the reference 1st read above, the General Administration (V&E) Department have conducted an enquiry on the allegations of Printing of Tender Schedules and found gross misappropriation of funds by Sri G.S.N.Murthy, former Municipal Commission and seven others of Gajuwaka Municipality.

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2. In the reference 2nd read above, the Commissioner & Director of Municipal Administration, A.P., Hyderabad was requested to initiate criminal action against Sri G.S.N.Murthy, former Municipal Commissioner, Gajuwka and Sri N.Venugopal, the then Draughtsman, Gajuwaka Municipality for misappropriating the Municipal funds to a tune of Rs.1,23,97,462/- by generating false bills in the name of non-existing firms and drawing the amounts on self cheques by mis-representation.

3. Whereas, in the reference 3rd read above, the Commissioner, Greater Visakhapatnam Municipal Corporation, Visakhapatnam has requested the Station House Officer, GWK Police Station, Visakhapatnam to register a criminal case against Sri G.S.N.Murthy, former Municipal Commissioner, Gajuwaka and Sri N.Venu Gopal, the then Draughtsman, Gajuwaka Municipality and to make necessary investigation into the misappropriation case of Municipal funds to a tune of Rs.1,23,97,462/-. Accordingly, the Inspector of Police, GWK Police Station has registered a case against the said officials, vide Crime No.35/2008 under sections 420, 409, 468 and 471 of IPC.

4. In the G.O. 4th read above, orders were issued, dropping further action against Sri G.S.N.Murthy, former Municipal Commissioner, Gajuwaka Municipality.

5. In the reference 5th read above, the Commissioner, Greater Visakhapatnam Municipal Corporation, Visakhapatnam has requested the Station House Officer, GWK (L&O), Visakhapatnam to withdraw / delete the name of Sri G.S.N.Murthy from the enquiry under Crime No.35/2008.

6. In the reference 6th read above, the Hon'ble Court of III Additional Chief Metropolitan Magistrate, Gajuwaka, Judgement dated 20.03.2017 in C.C.No.834 of 2011 held that the Accused-1 Sri G.S.N.Murthy, former Municipal Commissioner, Gajuwaka Municipality is discharged for the alleged offence under section 409, 420,468, 471 of IPC.

7. In the reference 7th read above, the Commissioner, Greater Visakhapatnam Municipal Corporation, Visakhapatnam has reported that the Assistant Public Prosecutor, Hon'ble Court of III Additional Chief Metropolitan Magistrate Court, Gajuwaka, Visakhapatnam stated that the Hon'ble Court has pleased to allow the petition and discharged Sri G.S.N.Murthy, former Municipal Commissioner, Gajuwaka from the C.C.No.834/2011 in Crime No.35/2008 under section 321(a) of Cr.P.C., vide its Orders dated 20.03.2017. The Commissioner, Greater Visakhapatnam Municipal Corporation has therefore, requested to take necessary further course of action in the matter.

8. In the reference 8th read above, Sri G.S.N.Murthy, former Municipal Commissioner, Gajuwaka Municipality, now retired as Municipal Commissioner, Kakinada has requested to take further necessary action and to close the case.

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9. Government have examined the entire matter carefully and it has been observed that, orders were issued in G.O.Rt.No.582, M.A. & U.D.(E1) Department,
dated 24.05.2010, dropping further action against SriG.S.N.Murthy, former Municipal Commission and withdrawal petition from prosecution was also filed in the Court and the Court allowed the withdrawal petition and discharged him from the alleged offence.Therefore, it has been decided to close the criminal case against Sri G.S.N.Murthy, former Municipal Commissioner, Gajuwaka and to drop further action against him.

10. Accordingly, Government hereby order to close the criminal case against Sri G.S.N.Murthy, former Municipal Commissioner, Gajuwaka and to drop further action against him, as he was discharged from the alleged offence by the Hon'ble Court of III Additional Chief Metropolitan Magistrate, Gajuwaka, Judgement dated 20.03.2017 in C.C.No.834 of 2011.

11. The Director of Municipal Administration, A.P., Guntur / the Commissioner, Greater Visakhapatnam Municipal Corporation, Visakhapatnam shall take further necessary action in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

R. KARIKAL VALAVEN
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri G.S.N.Murthy, former Municipal Commissioner, Gajuwaka Municipality now retired as Municipal Commissioner, Kakinada through the Director of Municipal Administration, A.P., Guntur.
The Director of Municipal Administration, A.P., Guntur.
The Commissioner, Greater Visakhapatnam Municipal Corporation, Visakhapatnam.
Copy to:
The G.A.(V&E) Department.
The Secretary to A.P.Vigilance Commission, 5th Block, A.P. Secretariat.
The Accountant General (A&E), A.P., Hyderabad.
The District Collector, Visakhapatnam.
SF/SCs.

//FORWARDED BY ORDER//

SECTION OFFICER